

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA**

WILLIAM DANIEL PALMER,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-25-310-J
)	
GARFIELD COUNTY DETENTION)	
FACILITY et al.,)	
)	
Defendants.)	

ORDER

Plaintiff, a prisoner appearing pro se, filed this civil rights action and an application to proceed in forma pauperis (IFP) on March 12, 2025. [Doc. Nos. 1, 2]. The Court referred the matter to United States Magistrate Judge Shon T. Erwin for initial proceedings consistent with 28 U.S.C. § 636(b)(1)(B). [Doc. No. 4].

On May 9, 2025, after affording Plaintiff an opportunity to cure deficiencies in his initial IFP application, Judge Erwin issued an Order finding Plaintiff entitled to proceed without prepayment of the full \$350.00 filing fee. [Doc. No. 10]. Instead, Judge Erwin ordered Plaintiff to pay monthly installments of \$5.74 until the filing fee was paid in full. Judge Erwin advised Plaintiff of his right to object to the Order and warned Plaintiff that his failure to pay the monthly installments would result in the dismissal of this action. Plaintiff did not object or pay the initial monthly fee.

Accordingly, on June 9, 2025, Judge Erwin filed a Report and Recommendation recommending the dismissal of this action without prejudice. [Doc. No. 11]. While Judge Erwin advised Plaintiff of his right to object to the Report and Recommendation by June 26, 2025, Plaintiff submitted no objection. Plaintiff has therefore waived any right to appellate review of the

factual and legal issues in the Report and Recommendation. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991).

Accordingly, the Court ADOPTS the Report and Recommendation [Doc. No. 11] and DISMISSES Plaintiff's action without prejudice. A separate judgment will follow.

IT IS SO ORDERED this 14th day of July, 2025.



BERNARD M. JONES
UNITED STATES DISTRICT JUDGE